The enclosed is responsive to the Examiner's Office Action mailed on October 3,

2007. At the time the Examiner mailed the Office Action claims 1, 3-14 and 16-20 were

pending. By way of the present response the Applicants have (1) amended claims 1, 3-7, 9-14

and 16-20, (2) added no new claim, (3) cancelled no claim, (4) argued the patentability of the

independent claims 1, 8, and 14. As such, claims 1, 3-14 and 16-20 are now pending. The

Applicants respectfully request reconsideration of the claims in view of the following

arguments and remarks.

Rejections under 35 U.S.C. § 103(a):

Claims 1, 3-14, 16-20 are rejected under 35 U.S.C. § 103(a) as allegedly being

unpatentable over U.S. Publication No. 2005/0009571 (hereinafter CHIAM) in view of US

Patent No. 6,842,877 (hereinafter ROBERTS). This rejection is respectfully traversed

because the cited prior art fails to disclose, teach or suggest all limitations set forth in the

claims.

Claims 1, 8, and 14, inter alia, are directed to tracking usage pattern data of a user

based on interactions of the user with a plurality of services, associating the usage pattern

data with user profile information and predicting a set of service based on the tracking a user

is expected to utilize within a predefined period of time, the usage pattern data include a

name of each of the plurality of services, a time of use of each of the plurality of services, a

use frequency of each of the plurality of service.

CHIAM in paragraph [0006] discloses improved use of cell phones by allowing

immediate access to item and menus in a menu tree by allowing the user to maintain contact

with a two-dimensional navigation key. CHIAM goes further by disclosing that in essence the

invention eliminates the requirement of keystrokes from multiple keys to access a menu item.

The entire CHIAM disclosure is focused on a use of two-dimensional key. CHIAM in

paragraph [0027] clearly disclose that the CHIAM invention is intended to eliminate

keystrokes on separate keys outside of using the two-dimensional navigation key. The

Applicants respectfully submit that CHIAM does not disclose any of the following

limitations: tracking usage pattern data of a user based on interactions of the user with a

plurality of services, associating the usage pattern data with user profile information and

predicting a set of service based on the tracking a user is expected to utilize within a

predefined period of time, the usage pattern data include a name of each of the plurality of

services, a time of use of each of the plurality of services, a use frequency of each of the

plurality of service.

In the Final Office Action mailed on May 02, 2007, the Office indicated the following

method operation of claim 1 is disclosed by CHIAM "figs. 1-3, paragraph 39".

Claim 1:predicting a set of services from a plurality of services

by user profile data including usage pattern data to construct the set of

services;.....

The Applicants examined CHIAM, and in response to the above mentioned Office

Action, respectfully submitted that CHIAM provides no disclosure regarding predicting a set

of services based on the usage pattern data as set forth in the claims. However, in the Office

Action mailed on October 03, 2007, the Office simply copied the same rejection pointing to

the same figures and paragraph of CHIAM. It is respectfully submitted that the Office did not

provide any response to the arguments presented by the Applicants in response to the earlier

Office Action.

In CHIAM, the main menu includes the plurality of operations associated with the

plurality of soft keys. This teaching is different because unlike CHIAM where a fixed set of

services is displayed in the menu based on what key is pressed, claims 1, 8, and 14 are

directed to predicting a set of services based on usage tracking data that is stored in the user

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profile information. Furthermore, CHIAM does not disclose any tracking of user interaction

with the services, therefore, the Applicants respectfully submit that CHIAM can not disclose

tracking usage pattern data of a user based on interactions of the user with a plurality of

services.

CHIAM in paragraph [0029] further clarifies the disclosure by stating that the present

invention allows for navigation throughout the plurality of menus of the device using the

single two-dimensional navigation keys. Again, CHIAM have not mentioned any reference to

tracking service usage, maintaining user profile information, or predicting a set of services,

associating the usage pattern data with user profile information, etc.

Still further, claim 8 recites a plurality of tertiary service icons representing remaining

services. The tertiary icons are displayed in a tertiary position of the mobile device. CHIAM

figures (1-3) disclose primary service icons. In CHIAM, all service icons are displayed in one

section of the display. There are no hidden service icons representing remaining services. This

teaching is different because CHIAM does not disclose a tertiary position on the display and

does not display tertiary service icons representing remaining services in this tertiary position.

The Applicants respectfully submit that the Office did not provide any discussion in the

Office Action regarding this claim limitation.

If this rejection is maintained, the Office is requested to clearly point out where in

CHIAM the limitations set forth in claims as described above can be found.

Further, the Office asserts that ROBERTS disclose a method for predicting appropriate

content for presentation or retrieval by detecting pattern data of a user profile information a

mobile phone and displaying on the mobile phone, wherein the detected pattern data includes

a name, a time and a frequency of service. The Office pointed out to several places in

ROBERTS wherein this limitation is allegedly disclosed. The Applicants respectfully

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disagree. The teachings of ROBERTS are different because ROBERTS discloses predicting

appropriate computer actions [abstract] based on a current context whereas the claims recite

predicting a set of services that the user is expected to utilize (i.e., <u>predicting user actions</u>).

ROBERTS in column 9, lines 58-61 discloses that the characterization system can track

changes over time. Basically, ROBERTS teaches tracking usage of the device in time

dimension and enable to device to behave in certain manner based on previous interactions

with the device. These teachings are different because claims recite tracking usage pattern

data, the usage pattern data include a name of each of the plurality of services, a time of use

of each of the plurality of services, a user frequency of each of the plurality of service.

ROBERTS in column 16, lines 41-42 appears to describe the structure of tracking data. It

contains a CS name, attribute name, data type, format version, request handler and startup

behavior. As apparent, ROBERTS does not teach maintaining the usage pattern data that

include a name of each of the plurality of services, a time of use of each of the plurality of

services, a user frequency of each of the plurality of service. This fact can be further

corroborated by reading ROBERTS column 15, lines 28-33 in which ROBERTS states that to

summarize, the CC employs and analyzes a thematic set of attributes reflecting three distinct

state of the user: (1) the state of the user (biometric, mood, etc.), (2) the state of user's

physical surroundings, and (3) the state of the user's logical or telecommunications

environment. ROBERTS does not disclose anywhere that the tracking includes use of a name

of each of the plurality of services, a time of use of each of the plurality of services, a user

frequency of each of the plurality of service.

Further, the Applicants respectfully submit that the Office has not met its initial burden

of showing prima facie obviousness by presenting evidence as to how ROBERTS can be

combined with CHIAM to disclose all limitations set forth in Applicants' claims. The

Supreme Court in KSR noted that the analysis supporting a rejection under 35 U.S.C. 103

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should be made explicit, in re KSR Internation Co. v. Teleflex Inc. (KSR). The Court in KSR

quoted In re Kahn, which state that "Rejections on obviousness cannot be sustained by mere

conclusory statements; instead, there must be some articulated reasoning with some rational

underpinning to support the legal conclusion of obviousness." The Office asserts that

combining ROBERTS with CHIAM would minimize time to search a desired service. The

Applicants respectfully disagree. As discussed above, CHIAM disclosure is limited to

describing a use of a two-dimensional key to provide better navigation of menus in mobile

phones. And, ROBERTS discloses predicting appropriate computer actions based on a current

context. Combining these two teachings:

1) will be contrary to the CHIAM invention because if the icons are made hidden in

CHIAM according to ROBERTS, CHIAM's two-dimensional control would provide

navigation functionality for those service icons only that are on the display. CHIAM user

would not be able to browse through the hidden icons.

and 2) the combination also will still fail to disclose, teach, or suggest all limitations set

forth in the claims.

The Office is requested to explain and provide a reference to show that one skilled in

the art would be motivated to modify CHIAM's teachings by incorporating ROBERTS

teachings, and that CHIAM's teachings can be modified according to ROBERTS's teachings

and such modification will 1) provide an advantage to the users of CHIAM, 2) the modified

art would teach all limitations set forth in the claims.

Accordingly, the rejection of claims 1, 3-14, 16-20 under U.S.C. § 103(a) is traversed.

In view of the foregoing, a Notice of Allowance is respectfully requested. If the Examiner

has any question that may move the case forward to allowance or has suggestions that can be

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Amdt. dated December 26, 2007

Reply to Office action of October 03, 2007

worked out in advance of an action, the Examiner is respectfully requested to contact the

undersigned.

If any additional fees are due in connection with filing this Amendment, the

Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No.

SUNMP325). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,

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